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DEC 20 2005 *PATENT*
Dkt. STL11717

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Grant Edward Carlson and Karl Heinz Cunha**
Assignee: **SEAGATE TECHNOLOGY LLC**
Application No.: **10/817,311** Art Unit: **2835**
Filed: **April 2, 2004** Examiner: **A. Edwards**
For: **SHELF WITH REMOVABLE BACKPLANE**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION OF KARL H. CUNHA UNDER 37 C.F.R. 1.131

Sir:

1. I, Karl H. Cunha, hereby declare as follows:
2. I am one of the inventors in U.S. Patent Application No. 10/817,311 filed April 2, 2004 for an array storage system having a removable backplane.
3. As I understand, the most recent Office Action asserts that my invention is unpatentable as being anticipated by U.S. Patent No. 6,906,914 to Stamos ("Stamos '914").
4. I have reviewed the disclosure of the Stamos '914 patent. It does not disclose positively fixing, such as by screwing or the like, the backplane to a supporting structure. Rather, its backplane is sandwiched between the front and back partitions by attachment of the back partition.

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5. In this configuration, Stamos '914 discloses that the rear partition can be removed with the electrical components still in place. (see, for example, col. 4 lines 11-16).

6. During development of my invention I determined that positively fixing the backplane to a supporting structure is necessary to prevent damage to the electrical components when removing the back partition. With a loosely floating backplane, as disclosed by Stamos '914, the pulling force of a component on one side of the partition is likely resisted by another component's connection to the backplane on the opposing side of the backplane. I observed that this likely results in the loss of alignment between the components and the backplane such that the electrical components disconnect abruptly and with damage to their fragile electrical contacts.

7. I declare that all statements made herein that are of my own knowledge are true and that all statements that are made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001 and that such willful false statements may jeopardize the validity of the above-Applications or any patent issued thereon.

Karl H. Cunha
Karl H. Cunha

Date: 19 Dec 2005

Applicant Initiated Interview Request Form

Application No.: 10 /817,311 First Named Applicant: Grant Edward Carlson
 Examiner: A. Edwards Art Unit: 2835 Status of Application: Pending

Tentative Participants:

(1) Examiner Edwards (2) Mitchell K. McCarthy
 (3) _____ (4) _____

Proposed Date of Interview: To be determined by Examiner Proposed Time: _____ (AM/PM)
 after consideration of amendment.

Type of Interview Requested:

(1) Telephonic (2) Personal (3) Video Conference

Exhibit To Be Shown or Demonstrated: [] YES NO
 If yes, provide brief description: _____

Issues To Be Discussed

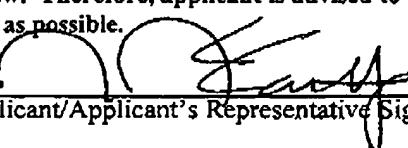
Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>Rej.</u>	<u>1</u>	_____	[]	[]	[]
(2) <u>Rej.</u>	<u>9</u>	_____	[]	[]	[]
(3) <u>Rej.</u>	<u>17</u>	_____	[]	[]	[]
(4) _____	_____	_____	[]	[]	[]
[] Continuation Sheet Attached					

Brief Description of Arguments to be Presented:

Claims as amended more particularly distinguish the present embodiments over the art of record.

An interview was conducted on the above-identified application on _____.
 NOTE: This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.


 Applicant/Applicant's Representative Signature

Examiner/SPE Signature

Mitchell K. McCarthy
 Typed/Printed Name of Applicant or Representative

38,794
 Registration Number, if applicable

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20591-0001. Reference identifier: USPTO-0651-0031. DATES: 07/31/2006. OMB Control Number: 0651-0031. DURATIONS (mm:ss): 00:21. FORMS